

**SECTION 9.75 VIOLENCE-FREE WORKPLACE GUIDELINES**  
**Last Update: 2/06**

**STATE OF IOWA**  
**VIOLENCE-FREE WORKPLACE GUIDELINES**  
**for**  
**Supervisors of Executive Branch Employees**

**I. POLICY INTENT**

The State of Iowa is committed to creating and maintaining a violence-free workplace. Threats, intimidation, harassment, or acts of violence will not be tolerated. All threats or threatening behaviors will be immediately investigated and will be grounds for disciplinary action up to and including discharge.

**II. LEGAL AND CONTRACTUAL CONSIDERATIONS**

The bases upon which the policy and these procedural guidelines are based include the following legal and contractual considerations:

**A. Legal Authority**

1. The Occupational Safety and Health Administration (OSHA) has no specific regulations for preventing occupational homicide or violence. The OSHA General Duty Clause [29 USC 1900 5(a)(1)], however, requires employers to provide a safe and healthful working environment for all workers covered by the Occupational Safety and Health Act of 1970. Additionally, OSHA is considering issuing regulations that would require employers to protect workers from the threat of violence, just as employers must protect employees against hazardous materials.
2. Incidents of violence in the workplace have lead to numerous lawsuits involving issues such as negligent hiring, protecting employees from “off the street” violence, inaccurate employment recommendations, and inadequate security.

**Negligent hiring** claims argue that, by virtue of having someone on the payroll, an employer is responsible for harm to the public caused by that employee. Negligent hiring claims typically hinge on whether or not an employer took reasonable precautions to prevent the incident. Did the employer check references, for example, and where applicable, driving or criminal records? Did the employer respond if co-workers or others reported suspicious or threatening behavior or comments by the employee? Was it reasonable to expect the employer to know that the employee was a risk to others?

Former employers have found themselves in court as co-defendants in negligent hiring suits on the grounds that they gave incomplete or misleading references to a subsequent employer.

The theory of **negligent retention or negligent supervision** in litigation holds that the employer should have known, based on information in the employer's possession, that the worker had a propensity for violence.

When, during the course of employment, the employer becomes aware or should have become aware that an employee is unfit, and the employer fails to take action such as investigating, discharging, or reassigning the employee, the employer may be liable under the negligent retention theory.

Courts are taking the view that protecting an employee from "off the street" violence is part of an employer's duty to provide a safe workplace, and failure to do so may expose an employer to civil liability.

B. Labor Agreements

The current collective bargaining agreements must be reviewed to determine any limitations or procedural requirements relating to discipline and discharge, the Employee Assistance Program, and other sections which may be related to dealing with incidents of violence in the workplace.

**III. HUMAN RESOURCE ISSUES**

Violence is, in part, an uncontrolled ventilation of built up stress and anger. There are several elements of human resource management that merit review to help diffuse stress and lessen the potential for violence within an organization.

A. Job Analysis

Job analysis results in the production of a job description detailing critical job tasks and detailing the prerequisite competencies required for acceptable job performance. To the extent that competencies are poorly delineated and the necessary job skills poorly defined, confusion results that can impact later processes of recruitment and selection. Other processes, such as training and development of employees in related tasks and competencies also becomes an exercise in confusion.

Supervisors should periodically review the position description questionnaires and the job descriptions for the job classes under their supervision. If revisions are necessary, the supervisor should initiate contact with the personnel officer assigned to that agency for assistance in revising job descriptions to more accurately reflect the job.

B. Selection

Selection tools such as written tests, interviews, performance tests, psychological profiles, and other job performance prediction devices should be validated. Such devices must result in the hiring of individuals competent to perform job tasks and individuals possessing the necessary competencies to adequately perform job duties. Hiring individuals mismatched for the job is an invitation for trouble. These individuals are more likely to find themselves stressed, and to turn to stress reduction remedies such as alcohol or drugs. The potential for violent workplace responses under such conditions is increased.

The hiring authority should use the application form to trace an applicant's work history. According to a recent report, approximately 42% of job applicants are untruthful on their job application. (The Age of Rage, Jenny C. McClure, Small Business Reports, March 1994). Unexplained gaps may be indicative of unstable work patterns that should be investigated. Violence prone workers often have a migratory job history. Applicants who have had many jobs of short duration warrant closer scrutiny.

Good interviewing skills should be developed and can be used to reveal much about an applicant's personality and work related attitudes. Many warning signs are evident during an interview process and continue to build in severity throughout the person's employment. Reference checks should always be conducted to collect information indicative of unstable personalities. Be wary of the applicant who cannot provide references or who cannot provide phone numbers and addresses of former employers. The applicant may have something to hide. Applicants who do not have a history of poor performance or disciplinary action and who possess the necessary skills should have no basis for omitting information, refusing to answer valid questions, or hiding the truth. (Note: The Iowa Department of Administrative Services – Human Resources Enterprise (DAS-HRE) does not conduct background, education, licensure, or reference checks.)

In accordance with the DAS-HRE rules, specifically subrule 5.2(6), applicants' names may be removed from the list of eligibles if the applicants knowingly misrepresented the facts when submitting information relative to the application, testing, or certification process. If it is suspected that an applicant has falsified an application, the appointing authority should contact the DAS-HRE personnel officer to initiate an investigation into the allegation and the possible removal of the applicant's name from the list of eligibles.

When interviewing applicants, Michael Mantell in Ticking Bombs: Diffusing Violence in the Workplace recommends asking the following seven questions:

1. When have you felt that you have been treated unfairly?
2. What did you do about it?
3. What would you like to have done about it?
4. Why did you feel you had been treated unjustly?
5. What complaints have you had about your supervisors in the past?
6. What could a supervisor do to make you angry?
7. What has a supervisor done in the past to make you really angry?

Applications, resumes, and interviews should be reviewed for indicators of stability, which may include:

1. Honorable discharge from military.
2. Increased responsibility over time.
3. Identifies with positive role models.
4. Future oriented.
5. No history of violence.

If an individual applies for a position that requires a driver's license, a driving record check should be made to verify a valid license and to look for excessive violations that may indicate potential liability for the employer.

If an individual applies for a position that requires licensure to practice a profession or a trade, the appointing authority is responsible to verify the applicant's license is valid, current, and appropriate to the position.

C. Performance Evaluation

It is important that performance evaluations be tied to the essential functions of the job. The evaluation is critical in providing timely, constructive feedback to employees on both the positive and negative aspects of their job performance. Performance evaluation conferences must be done in an objective manner that is not confrontational, and must focus on work behaviors, not personal attacks. The potential for high stress violent situations is always present when evaluation sessions are performed by untrained managers, or when criticism becomes "person directed," not "behavior directed."

D. Training and Development

Constant change is a characteristic of today's workplace: jobs change, technologies change, and people change. Training and development initiatives offer opportunities for employees to upgrade skills to meet changing job requirements. While valid recruitment and selection devices can result in hiring persons who are qualified to perform job duties, they cannot ensure that employee's skills are continuously upgraded to meet the ever changing nature and demands of jobs. That can only be performed by a well coordinated job analysis and performance evaluation system tied to a training and development program.

In severe economic times, organizations may cut back on training and development. While understandable, these cut backs often have severe long term consequences. One of the consequences will be to increase the number of employees who are not prepared to perform the changing aspects of their jobs. This can create a highly stressful workplace, ripe for violent responses from stressed employees.

Some areas of training are particularly related to alleviating the potential for violence. The following are suggested areas of focus in training for a violence-free workplace.

1. Employees need to be trained in conflict resolution including dealing with an irate customer or co-worker.
2. Managers, supervisors, and employees need to be trained in cultural diversity. Employees need to understand the difference between inappropriate behaviors and behaviors that are merely different due to cultural differences.
3. All employees need to be trained in recognizing and preventing sexual and discriminatory harassment. Employees need to understand that the State of Iowa has a zero-tolerance policy, and enforcement of the policy can make the workplace more enjoyable and productive.
4. Supervisors and managers need training on the causes of violence in the workplace, as well as the prevention and elimination of violent incidents in the workplace. Supervisors need to understand how their role in handling performance problems, discipline, and terminations may avert a violent incident.

5. Supervisors need to be trained in recognizing the signs of a troubled employee, as well as how and where to get assistance for the employee.
6. Supervisors need to develop confrontation strategies. For example:
  - a. Offer choices. This should be done even if the choices are less than full resolution alternatives. Making this gesture conveys respect for the employee as well as courtesy.
  - b. Defuse anger. In a calm manner, tell an angry person that you understand how he or she must feel. Show appreciation that the person brought forth the concerns, and tell the person you would like to sit down and discuss the situation further. Have the discussion immediately.
  - c. Be sincere. Use a friendly, professional demeanor at all times. Actively listen to the person.
  - d. Ask questions. Politely ask the angry person to explain the issues so you can better understand the person's concerns. This often helps the person calm down and begin to think logically.

E. Probationary Period

The probationary period, if used properly, offers the supervisor the opportunity to closely observe the employee's performance and interaction with management and co-workers. Often, however, the probationary period is not used properly and the employee gains permanent status, even though the employee's performance is less than adequate.

The longer an employee is with an organization, the stronger the psychological bond that the employee develops with the organization. Thus, it is important that supervisors carefully monitor performance and behavior during the probationary period. This initial investment of time and energy may prevent violent outbursts later by employees who were poorly matched to their job.

One factor that has commonly been reported in cases of employee initiated workplace violence is the strong sense of identity the employee has with his or her job. Often, the employee's sense of life and self-esteem is the employee's job, and the employee equates loss of job with loss of life and value.

F. Grievances

It is important for employees to be able to vent their frustrations. The grievance procedure provides such a mechanism. Employees must be informed of the process, and supervisors must ensure that the grievance procedure is a non-biased forum for employees to air their concerns. The presence of a procedure perceived to be biased in management's favor, leads to an increase in stress rather than the opportunity to discuss concerns in a beneficial and controlled setting.

G. Iowa Employee Assistance Program (EAP)

Providing self-referral and management referral services to employees has been shown to help decrease the incidence of workplace violence.

Well-trained supervisors who gain the trust of their employees can help prevent violence. While people are hesitant to let other persons know about their personal lives, it is important that we get to know the people who work with us so that we can help to keep them safe and help them receive the proper assistance.

A supervisor should encourage use of the EAP when an employee is experiencing difficulty coping with work or personal concerns. Referrals to the EAP cannot be mandatory. Rather, the employee is encouraged to utilize the program.

Sections 9.10 through 9.40 Personnel Management for Managers and Supervisors discusses the EAP program in detail.

H. Psychological or Psychiatric Referrals

A mandatory referral for psychiatric or psychological assessment should be made when an employee's behavior is disruptive or inappropriate to the extent that it threatens the safety and well-being of the employee or others. The appointing authority, in consultation with the DAS-HRE personnel officer, may direct the employee to be assessed by a qualified mental health professional of the appointing authority's choice. The agency employing the referred employee will be responsible for the cost of the mandated referral assessment. The employee is responsible for subsequent recommended treatment costs.

An employee who has been referred for such an evaluation will not be permitted to return to work without the completion of the assessment and without a release from the employee's psychologist or psychiatrist. The release must indicate that the employee does not pose a threat to him or herself or others. If the psychologist or psychiatrist recommends continued treatment following the employee's return to work, the appointing authority should work with the personnel officer to develop a return to work agreement.

I. Adverse Actions

1. Downsizing

The most important factor in reducing stress during a reorganization or downsizing is honest and timely communication from management. Employees need to understand the reason for staffing changes and be allowed to ask questions to facilitate understanding. Employees should be given early access to outplacement services and have resources available to explain how outplacement works. Employees will need to know how their benefits, such as insurance, will be affected. They should be provided with materials from community assistance agencies that may help them prepare for a layoff or a reduction in salary.

Supervisors and managers need to understand that employees are very likely to be angry. Supervisors should not dismiss or ignore that anger. If an employee is not coping well with the situation, the employer should refer the employee to the EAP.

## 2. Safe Discipline

There is a potential for uncontrolled violent acts by employees when they are reprimanded, suspended, or terminated. It is important that supervisors are aware of the disciplinary process and should appropriately deal with poor performance and misconduct while treating the employee with dignity and respect. Disciplinary action should always stress as its objective the goal of returning the employee to expected levels of performance and behavior, not punishment.

Even an employee who is disciplined, but not terminated, may experience substantial loss, such as loss of status, income, future opportunities, and self-esteem. This type of loss can be as devastating to the employee as termination, and for some, may trigger a violent episode.

A supervisor who is dealing with a disturbed or disgruntled employee who the supervisor feels may engage in violence should refer the employee for psychological or psychiatric intervention and delay the discipline session. A discipline session at the time may trigger a violent response.

S. Anthony Baron, PhD., in Violence in the Workplace: A Prevention and Management Guide for Businesses, recommends “carefronting” as opposed to “confronting” a difficult employee. Regardless of the ultimate outcome, even in cases of termination, a difficult employee needs help and must be treated in a respectful, honest manner. Discipline sessions in which a supervisor tells an employee all the “wrongs” tend to invoke anger and aggression.

According to Baron, when approaching discipline from a “carefronting” standpoint, supervisors need to:

- a. Focus on behaviors, not on the person or personalities. A person's behavior can be observed and documented. If a supervisor identifies a problem as something a person is doing or saying, then there is an assumption that changes can be made.
- b. Look for areas of agreement and disagreement. If a supervisor can help an employee identify good behavior, an employee may be able to distinguish poor performance from good performance.
- c. Talk with, not at, an employee. The employee must be involved in finding appropriate solutions. Ask the employee what should be done about the unacceptable behavior or performance. Authoritarian supervisors often tell an employee what is wrong and what the employee should do to change, then wonder why the employee does not change. If an employee actively helps in identifying the solutions, the employee has a stake in changing the inappropriate behavior.
- d. Establish future commitments. Let the employee know that you are sincerely interested in helping him or her. Ask the employee how you can help. Schedule a subsequent meeting within two weeks to follow up. Reinforce changed or improved behavior.

- e. Conduct conferences focusing on an employee's performance or behavior in private. Confidentiality to the fullest extent possible must be maintained.
- f. Remain calm and professional. It is never appropriate for a supervisor to use profanity, resort to name calling, or treat the employee in a demeaning fashion. If an employee becomes loud during the meeting, the supervisor should talk slower and softer.
- g. Take action as soon as possible. Never put off a disciplinary conference with an employee by stating that you will meet with him or her the next day or the next week. Both parties become stressed over the delay. The increased anxiety may push a troubled employee over the edge.
- h. Remain unbiased. If there is a history of resentment or confrontation between the supervisor and the employee, an unbiased supervisor should take the lead in dealing with an employee.
- i. End the disciplinary meeting if the employee becomes highly disturbed or violent. The supervisor should tell the employee that they will meet again when the employee is calmer and should suggest that the employee meet with EAP to cope with the anger or direct the employee to a psychologist or psychiatrist as appropriate.
- j. Be specific. Discipline usually falls into one of three categories: 1) attendance, 2) performance, or 3) misconduct. If an employee has been late for work, do not tell the employee that he or she is unreliable or undependable. Tell the employee that he or she was late, what impact the tardiness has on the team or the employee's work, and tell the employee the consequences of future instances. Tell the employee what you expect.
- k. When another employee reports inappropriate conduct, do not blame or ignore the employee. Do not tell the employee that he or she is overreacting or that you'll look into the situation. Blaming the victim or the employee who reports misconduct is equal to accepting the inappropriate conduct.
- l. Ask the employee if there is anything that you should be aware that may be causing the absenteeism, performance, or conduct problems. Let the employee know that you are sincerely concerned about him or her as a person, and that you are willing to listen to the employee and will try to assist him or her.
- m. Walk the talk. Employees watch supervisors to make sure they are following the same standards of conduct expected of employees. Employees should be able to look to the supervisor as a role model of appropriate workplace conduct.
- n. Be consistent and fair. Dislike of a particular employee may draw focus to his or her attendance, performance, or conduct, even though it may be no different than that of other employees who are in favor with the supervisor.



### 3. Safe Terminations

Terminations generally occur for one of two reasons: 1) lack of work, or 2) inappropriate attendance, performance, or conduct. Guidelines for safe terminations include:

- a. Treat all employees with respect and dignity. Treat others as you would like to be treated.
- b. If at all possible, adverse actions should be avoided when the employee is undergoing severe personal stress, such as a separation or divorce, a critical personal or family illness, or a recent death of someone close to the employee. Intervention from a professional would probably be more in line with the needs of the employee and the safety of the workplace.
- c. Have more than one supervisor present. A supervisor the employee respects the most may help neutralize a potentially volatile situation.
- d. Do not expect employees who are laid off or terminated to act rationally. There may be anger and tears.
- e. Stick to factual, specific reasons for the termination.
- f. Be confidential. Do not discuss the termination with other employees.
- g. Be honest.
- h. Direct the person not to return to the workplace. If there is a specific need for the former employee to return, the employee must arrange the return accompanied by a supervisor.
- i. Do not apologize for the action or waffle in the decision. Do not state that you do not agree with the decision or that you were "ordered" or directed to impose it.
- j. Do not offer unnecessary sympathy or tell the employee it is not his or her fault.
- k. Arrange for security personnel to be present or nearby if the employee has been identified as potentially violent.
- l. Have all outplacement and benefit forms prepared in advance. Make arrangements to mail the terminated employee's final check to his or her home or location away from the worksite. Collect all state property before the employee leaves the worksite. Make sure there is no reason the employee will need to return to the worksite.
- m. Immediately change security codes, passwords, and access codes used by the terminated employee.

J. Rewards

In the State of Iowa, as in most public sector work forces, “merit” is the stated criterion for appointment, promotion, retention, performance-based pay increases and other rewards. Managers have a responsibility to ensure that other factors, such as favoritism and political pressure, are eliminated in the allocation of rewards. Pay equity within an organization is often an emotionally charged issue. While it is impossible to convince every employee that there is equity in pay, efforts should be made to evaluate and adjust trouble spots in this arena.

**IV. EMPLOYEE INITIATED WORKPLACE VIOLENCE**

A. Levels of Employee Initiated Workplace Violence

There are three levels of employee initiated workplace violence. Often employees who are prone to violence will progress from one level to another.

1. Verbal harassment. This type of behavior may include an employee spreading gossip or rumors about another employee. The employee may be uncooperative or confrontational with his or her supervisor, and often is argumentative with co-workers. The employee may act in a belligerent manner towards customers, yet the employee will attempt to rationalize his or her behavior. Other symptoms of this level may include the use of profanity or the making of unwanted sexual comments.
2. Insubordinate behavior. At the second level, the employee will continually challenge authority, to the point of refusing to obey policies and directives. Employees may sabotage equipment or steal property to get revenge. The employee may express a desire to hurt his or her co-workers. The employee will feel victimized by management.
3. Violent behavior. At the third stage, the employee may make serious threats against another employee(s) or supervisor(s). The employee is likely to engage in fights or other forms of physical aggression. The employee may begin to discuss, carry, or display weapons in the workplace. The employee may be suicidal or homicidal.

B. Motivations for Aggressive or Violent Behavior

Aggression and violence offer ways to control people and can help the perpetrator release anger by blaming someone else around him or her. A verbal threat can be the equivalent of physical aggression due to the environment of fear and anxiety that a threat can create. Experts are divided on what serves as motivation for violent behavior, but a few of the possible motives include:

1. To harass
2. To embarrass
3. To get revenge
4. To show power
5. To gain money or position
6. To intimidate
7. To reduce boredom
8. To entertain others
9. To cause fear
10. To cause frustration

C. Variables Contributing to the Potential for Violence

1. Environmental
  - a. Heat
  - b. Noise
  - c. Exposure to noxious fumes
2. Task Related
  - a. Continuous time pressures
  - b. Tedious or menial tasks
  - c. Frequent unwanted overtime
  - d. Shift work
3. Organizational
  - a. An environment that tolerates horseplay or aggressive interaction
  - b. Toxic work environment. Managers and supervisors need to look at the culture of the workplace. Do employees feel controlled, threatened or manipulated by problem employees or supervisors? Are employees a priority and do they play a part in the decision making? Do employees and supervisors treat each other with respect? Even an emotionally mature employee in a toxic environment can feel stifled, threatened, and apathetic, which can result in making the once excellent employee marginal.
  - c. Downsizing or layoffs
  - d. Uncertainty, feeling aggrieved, ignored, or victimized
  - e. Disgruntled employees, customers, or families
  - f. Promotions denied for reasons that seem not to be based on merit.
  - g. Inadequate security

D. Warning Signs of the Potentially Violent Employee

1. Substance Abuse Related to Violence

Alcohol and substance abuse can play a critical role in violent behavior. The effect of alcohol and other chemicals can lessen inhibitions and serve as a catalyst for violent behavior. Supervisors need to familiarize themselves with the symptoms of substance abuse and intervene at the earliest possible stage. The signs of impairment are usually evident even to the untrained eye. Alcohol and drug abuse are not an excuse for misconduct. While it is the State's intent to offer assistance leading to recovery, misconduct must still be dealt with as appropriate.

## 2. Disorders

Some individuals have disorders which may make them more prone to violence. The following are examples of such disorders:

- a. Schizophrenia
- b. Delusional (paranoid) disorders
- c. Mania
- d. Mental retardation
- e. Personality disorders, including organic personality syndrome, borderline personality, antisocial personality, narcissistic personality
- f. Disruptive behavior disorders including conduct disorders and attention-deficit hyperactivity disorder
- g. Depression. Signs of depression include:
  - 1) Expressions of despair
  - 2) Slowed work pace
  - 3) Constant sad or blank expression
  - 4) Self-destructive behavior
  - 5) Easily distracted
  - 6) Increased apathy or lack of motivation
  - 7) Socially withdrawn
  - 8) Excessive self-condemnation
  - 9) Unkempt physical appearance
  - 10) Sudden drastic changes in conduct or behavior

## 3. Inappropriate Behaviors Requiring Intervention by the Employer

- a. Making threats. The employee, supervisor, manager, vendor, or customer may make veiled or conditional threats or may make references to other violent events.
  - 1) Veiled threats are indirect threats aimed at a person or organization. Statements such as "something bad may happen to you" or "watch your back" are examples of veiled threats.
  - 2) A conditional threat is a threat of consequences to follow an identified event. For example, during an investigatory process, an employee may state that if he or she is fired, others will "pay." A customer who is threatened with the loss of some type of benefit may threaten an employee or an entire organization.
  - 3) Some violence-prone individuals will send out advance signals of their intentions by making statements such as, "if you think what happened at the post office was bad, wait until you see what happens here."
  - 4) Employees may engage in verbal abuse, demeaning or belittling statements, ridicule, or excessive verbal altercations with other employees, supervisors, managers, vendors, or customers.

- b. Excessive interest in police, military, or survivalist activities. Some individuals become obsessed with vigilante or survivalist activities and advocate violence to achieve their goals. An employee may make threatening comments about weapons and brag about his or her expertise with exotic weapons. Employees are expected to immediately report to their supervisor any weapon observed in the workplace or any threat made by another person to bring a weapon to the workplace.
- c. Inappropriate comments. Employees may make suicidal comments to co-workers or supervisors that are often either ignored or not recognized. An employee may state "I'm losing it" or wonder aloud about reasons to live. Persons who commit violent acts in the workplace often turn their weapon on themselves. If individuals reach a point where they place no value on their own life, they may also place no value on the lives of others.
- d. Excessive documentation. Employees may refuse to be held accountable for their own behavior and start documenting other people who they believe are the cause of their problems. Employees may start to keep notes and lists, and may go as far as conducting surveillance on co-workers or supervisors.
- e. Paranoia. An employee may perceive and complain that everyone is against him or her, or may believe that everyone is in a conspiracy to plot against him or her. A paranoid employee may misinterpret acts of kindness or concern as a threat to the employee's job or family. Often, the employee externalizes blame which increases the likelihood of violence because the employee no longer sees himself or herself as personally responsible for his or her own problems.
- f. Advocating extreme religious or political beliefs. Other employees will tend to shy away from these persons, which may increase the loner or paranoid tendencies.
- g. Anger. A common description of persons who have engaged in workplace violence is that the individual was very angry. The anger is often described as non-specific. The individuals are described as moody or irritable, and as harboring a lot of resentment.
- h. Continual complainer. A sign of an employee who is in trouble may be a continual complainer who, following the airing of complaints becomes introverted. The employee may have a tendency to file numerous lawsuits or grievances in an attempt to correct the perceived wrongs against them. The individual will often allege discrimination or disparate treatment. In addition to on-the-job problems, the employee may complain of financial problems or marital problems.
- i. Loner. A person who has engaged in acts of workplace violence is often described as a loner who intimidates those around him or her. He or she may have been described as guarded. The employee's only social outlet is the job, and this person equates loss of job with loss of life and value.

- j. Decrease in productivity. A sudden decrease in productivity, struggling to keep up, or an increased number of mistakes may signal severe stress or substance abuse.
- k. Stalking or lurking. Persons who are likely to engage in violence often surveil their victim(s) to establish patterns of behavior and habits.
- l. Sabotage. The employee may either threaten to sabotage or actually sabotage equipment or work products.
- m. Destructive behavior. Throwing objects, kicking furniture or equipment, exaggerated gestures, and damaging property are a few examples of destructive behavior.
- n. Any physically assaultive act. This would include any physical contact which is injurious, insulting, or offensive.
- o. Sexual or discriminatory harassment.
- p. Unusual or changed behavior. This may include emotional outbursts, secretive behavior, unusual comments, hearing non-existent voices, or anything uncharacteristic of the employee.
- q. Stress in personal life. This may take the form of crying or excessive personal phone calls. Creditors may start to call or garnishments may be ordered on the person's pay. Stress may increase following separation, divorce, or the death of someone close. The employee may talk of an unhappy family life or, at the other extreme, may never mention home life.
- r. Other employee concerns. Employees that work near others may be the first to notice unusual behaviors or causes of concern in co-workers. Concerns about another person brought forth by a co-worker should not be categorically dismissed without investigation. The earlier that intervention with a troubled employee begins, the earlier the problems can be resolved and the potential for violence diminished.

#### 4. Other Factors Associated With Workplace Violence

According to experts in the field of workplace violence, acts of violence in the workplace do not occur in a vacuum. National and local events contribute to the increase in the incidents of violence. Supervisors and managers must understand some of the factors commonly cited which are associated with workplace violence.

##### a. The Economic Climate

The condition of the economic climate has been cited as the primary cause for the dramatic increase in workplace violence. Fluctuations in the economy have contributed to stressors such as layoffs, high unemployment, and increased competition for available jobs. Employees face tougher competition for limited promotions. Economic conditions have forced employers to restrict salaries, as well as limit benefits available to employees.

b. Diversity in the Work Force

Today's work force is diverse along racial, ethnic, and gender lines, and diversity is expected to increase as we move toward the next century. Cultural, gender, and racial differences can result in tension in the workplace. When diversity is not properly addressed, it can lead to potentially explosive situations.

c. Substance Abuse

Abuse of drugs and alcohol has an adverse effect on all employees in the workplace, not just those who misuse the substances. Drugs and alcohol have been found to decrease inhibitions and prompt a person with a violence-prone personality to act out. Even though many steps have been taken to prevent alcohol and drugs from having an effect on the workplace, these substances remain a constant threat to a violence-free workplace.

**V. NON-EMPLOYEE INITIATED VIOLENCE**

Incidents of workplace violence can originate from outside the workplace, making every work location vulnerable. Some of the types of persons who bring violence to the workplace include:

- A. Ex-spouses or significant others attempting to find or harm their former partner
- B. Disgruntled former employees
- C. Angry customers or clients
- D. Stalkers
- E. Terrorists
- F. Intruders with criminal intentions, such as robbery
- G. Vendors
- H. Contractors

Some of the factors that may increase the risk of non-employee initiated violence include:

- A. Working alone
- B. Working late at night or early in the morning
- C. Working in high-crime areas
- D. Working with high-risk clients or customers
- E. Exchanging money or valuables with customer or clients
- F. Imposition of sanctions for non-compliance with laws or regulations
- G. Lack of awareness or being inattentive to one's environment

**VI. REPORTING WORKPLACE VIOLENCE**

In accordance with the Violence-Free Workplace Policy, all threats must be reported immediately.

A. Failure to Report

Following are some of the reasons why employees don't report violent behavior or threats.

1. Aberrant behavior is taken for granted. After a period of time, employees assume that inappropriate or threatening behavior on the part of a customer, client, manager, supervisor, vendor or co-worker is normal or acceptable.

2. Lack of confidence. Employees stop reporting incidents and inappropriate behaviors when the supervisor fails to take action. If an employee reports threats or violent behavior by another employee and the supervisor dismisses or ignores the report, employees will stop reporting incidents and management loses its early warning system. Following acts of workplace violence by current or former employees, it is evident that in many cases there were clear indications of the employee's aggressive or violent nature that had gone unheeded.
3. Unaware of the value of reporting. Employees often are hesitant to report unusual behavior because they are concerned that others may not share their perceptions. They may feel the employee who is acting out is just having a bad day or making a joke. Employees must be trained to report incidents, threats, or uncomfortable behaviors immediately, and supervisors need to follow up on the reports immediately.
4. Unaware of behaviors that are indicative of potential violence. Employees must be trained on the indicators of potential violence and how to recognize individuals or situations that need to be reported. Employees need to feel comfortable reporting a person acting in a strange manner before such a person enters the workplace.
5. Fear of retaliation or confrontation. Often, employees are afraid to report threats or incidents out of fear for personal safety or retaliation. Supervisors need to create an environment in which employees feel safe and are comfortable reporting inappropriate behavior. While complete anonymity cannot be guaranteed, supervisors can offer reassurance that retaliatory behavior for the reporting of threatening behavior will not be tolerated.

#### B. Filing a Report

Filing a report can be accomplished in any of the following ways:

1. With an employee's direct supervisor.
2. Through the chain of command within the employee's agency if the employee's direct supervisor is involved in the inappropriate behavior or refuses to take action on a report of inappropriate behavior.
3. The Iowa Department of Administrative Services – Human Resources Enterprise.

#### C. Supervisor Responsibilities

Following are some of the responsibilities of the supervisor who receives a report:

1. Assure the employee that the threat will be investigated and that the team or individual assigned to handle the threat will do so promptly.
2. Notify the appropriate law enforcement agency if the situation requires immediate intervention by a law enforcement officer.
3. Reports of threats may be received by supervisors in writing or in person. Supervisors should then complete the Workplace Violence Report form and submit that form to the Iowa Department of Administrative Services – Human Resources Enterprise.
4. Injuries, illnesses or fatalities resulting from workplace violence are required to be reported on the OSHA 200 log if injuries result in one of the following:



- a. Loss of consciousness
- b. Restriction of work or motion
- c. Transfer to another job or termination of employment
- d. Medical treatment beyond first aid

In addition, the First Report of Injury must be completed for incidents involving workplace violence. OSHA reporting guidelines require the employer to verbally report all incidents, including workplace violence incidents, that result in the death of an employee or the hospitalization (in-patient admission) of three or more employees within eight (8) hours after the employer learns of the incident.

## **VII. RESPONDING TO THREATS OF WORKPLACE VIOLENCE**

It is the policy of the State of Iowa to treat every threat seriously. Often, what is said in anger or exaggerated conversation may not be what the person really means or intends, however, sometimes it is EXACTLY what the person means and intends.

All threats must be responded to immediately, as it is impossible to determine if or when a person will execute a threat. Supervisors should err on the side of safety and always respond immediately. If the threat or behavior threatens the life or well being of others, immediately contact the appropriate law enforcement agency. Whether or not law enforcement is contacted, notify the DAS-HRE personnel officer as soon as reasonably possible depending on the circumstances.

There are many options for responding to a threat of violence. Each incident will need to be evaluated on its own merits. Supervisors should consult their personnel officer, who will assist in formulating a response to the threat. Some of the responses to threats may include:

- A. Suspension with pay pending completion of an administrative investigation
- B. Impose disciplinary action after a thorough and impartial investigation
- C. Voluntary referral to EAP
- D. Mandatory referral to a qualified mental health professional of the employer's choice, with managed follow-up and treatment
- E. Require a formal fitness for duty evaluation
- F. Place employee on medical leave until released for duty
- G. Cooperate with law enforcement officials to initiate criminal prosecution if warranted
- H. Obtain appropriate restraining orders
- I. Alert threatened parties
- J. Provide security for threatened parties and for the workplace in general

## **VIII. THREAT ASSESSMENT**

The DAS-HRE personnel officers are available to assist managers and supervisors in managing workplace violence incidents. The personnel officer will monitor all reports of threats or violence and provide consultation services to agencies. The personnel officer will aid agency personnel in properly assessing, evaluating, and managing workplace violence incidents.

The personnel officer will work with affected agency staff to determine the nature of the threat, who is making the threat, who or what is being threatened, and how best to investigate and proceed with management of the threat. Agency staff, in consultation with the personnel officer, will look at issues such as:

1. If the threat was made by an staff person, should that person be suspended with pay pending investigation?
2. How realistic is the threat? Who is the threat directed at and why? What factors indicate the potential to execute the threat?
3. If it is suspected that the threat may be executed, what are the options for preventing it? What are the short term and long term measures that should be considered?
4. If it is suspected that the threat may be executed, what are the options for managing the incident?
5. Is there a psychological evaluation that needs to be conducted? If so, how will it be done and who will do it? If it is determined that an individual has a mental disability, how will you balance the threat and the disability?
6. How will you balance the needs of the organization with the rights of individuals, including the potential perpetrator?